

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ORACLE AMERICA, INC.,
Plaintiff,

v.

GOOGLE INC.,
Defendant.

No. C 10-03561 WHA

**SUPPLEMENTAL ORDER
REGARDING STATEMENT ON
REEXAMINATIONS**

Oracle should state a clear answer to the following question: given that the examiners have issued final rejections on patents '720, '702, '476, and '205, and Oracle has only withdrawn the '476 patent, but still wishes to go to trial on patents '720, '702, '205, '520, and '104, and Oracle still wishes to have an instruction that those patents must be presumed valid and can only be found invalid by clear and convincing evidence, would it be better to postpone trial until after final decisions by the PTO on administrative appeal? Also please answer: to avoid this problem, will Oracle irrevocably withdraw with prejudice patents '720, '702, and '205? The views of Google on these questions will also be appreciated. Please provide responses by **NOON ON MARCH 9, 2012**, as part of the submission regarding the reexaminations.

IT IS SO ORDERED.

Dated: March 1, 2012.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE